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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/010,732

12/05/2001

William Lo

MP0122

2683

26703

7590

08/31/2005

HARNESS, DICKEY & PIERCE P.L.C.

5445 CORPORATE DRIVE

SUITE 400

TROY, MI 48098

EXAMINER

BOAKYE, ALEXANDER O

ART UNIT

PAPER NUMBER

2667

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/010,732

Applicant(s)

LO ET AL.

Examiner

ALEXANDER BOAKYE

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-62 and 64-68 is/are allowed.
- 6) ☒ Claim(s) 63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/01/2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### ***Drawings***

1. The drawings are objected to because in claim 63 line 3, "a computer" is not shown.

### ***Claim Rejections - 35 USC § 102***

2. e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 63 is rejected under 35 U.S.C. 102(e) as being anticipated by Findlater et al.( US Patent # 6, 385,208).

Regarding claim 63, Findlater teaches a network interface circuit (block 300, Fig. 3) to communicate information between at least two Ethernet network ports and a computer, comprising: a double data rate serial independent interface (column 6, lines 29-30; the claimed double data rate serial independent interface corresponds to a serial media independent interface evidenced by Findlar as indicated in Fig. 3), including; means for providing connectivity to the at least two Ethernet network ports (column 6, lines 29-37), the connectivity means including two interface pins per pair of ports(column 6, lines 60-67; column 6, lines 17-22 ); means for communicating uni-directional information with the physical layer component including two interface pins

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per pair of ports(column 6, lines 60-62); the connectivity means and the communicating means to communicate the uni-directional information therebetween through the communicating means interface pin and the connectivity mans interface pin at a double data rate (data is transmitted across the physical medium of the network from PHY to PHY at a data rate of 125MHz as shown in Fig. 3).

***Allowable Subject Matter***

3. The following is a statement of reasons for the indication of allowable subject matter: As to claims 1-7, the prior art of record does not teach a receive circuit, responsive to the clock signal to generate a receive serial stream from two receive data streams, the receive serial stream having a first operating frequency, each of the two receive data streams having a second operating frequency, the first operating frequency being about twice the second operating frequency. As to claims 8-12 and 20-24, the prior art of record does not teach a receive circuit, responsive to the clock signal, to generate a receive serial stream from two receive data streams, the receive serial stream having a first operating frequency, each of the two receive data streams having a second operating frequency, the first operating frequency being about twice second operating frequency.

As to claims 13-19, the prior art of record does not teach second means for sampling serial transmit data on the clock signal falling edge such that a second transmit a transmit serial stream is generated; means for generating a receive serial

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stream from two receive data streams the receive serial stream having a first operating frequency, each of the two receive data streams having second operating frequency, the first operating frequency being about twice the second operating frequency. As to claims 25-28, the prior art of record does not teach generating two transmit serial streams as a function of the serial transmit data, each of the transmit serial streams having a second operating frequency that is about one-half the first operating frequency; generating a receive serial stream from the two receive data streams, the receive serial stream having a first operating frequency, each of the two receive data streams having a second operating frequency, the first operating frequency being about twice the second operating frequency.

As to claims 29-35 and 36-40, the prior art of record does not teach a transmit circuit, responsive to the clock signal, to generate a transmit serial stream from two transmit data streams, the transmit serial stream having a first operating frequency, each of the two transmit data streams having a second operating frequency, first operating frequency being about twice the second operating frequency. As to claims 41-47, the prior art of record does not teach means for generating a transmit serial stream from two transmit data streams, the transmit serial stream having first operating frequency, each of the two transmit data streams having second operating frequency, the first operating frequency being about twice the second operating frequency.

As to claims 48-52, the prior art of record does not teach means for generating a transmit serial stream from two transmit data streams, the transmit serial stream having first operating frequency, each of the two transmit data streams having second

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operating frequency, the first operating frequency being about twice the second operating frequency. As to claims 53-56, the prior art of record does not teach generating two receive serial streams as a function of the serial receive data, each of the receive serial streams having a second operating frequency that is about one-half the first operating; generating a transmit serial stream from the two transmit data streams, the transmit serial stream having a first operating frequency, each of the two transmit data streams having a second operating frequency, the first operating frequency being about twice the second operating frequency.

As to claims 57-62, 64, 65, 66, 67 and 68, the prior art of record does not teach physical layer component to provide connectivity to the at least two Ethernet network ports, the physical layer component including two interface pins corresponding to each pair of the at least two Ethernet network ports; a media access control layer component including two interface pins corresponding to each pair of the at least two Ethernet network ports, to communicate uni-directional information with the physical layer component. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The Central Fax number is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Electronic Business Center numbers 866-217-9197 and 703-305-3028.

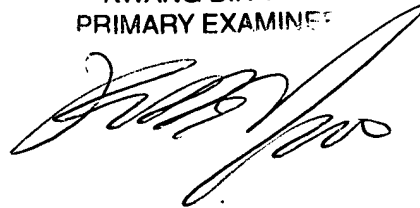
Alexander Boakye

Patent Examiner

AB

8/23/05

KWANG BIN YAO  
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Kwang Bin Yao', is written over the printed name and title.